

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:14-cv-00248-MR-DLH**

INTEGRITY LIFE INSURANCE COMPANY,

Plaintiff,

vs.

KRISTY KOMARA, et al.,

Defendants.

ORDER

Defendants.)
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)

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of Designation of this Court, the Honorable Dennis L. Howell, United States Magistrate Judge, was designated to consider the motion to dismiss and to submit a recommendation for its disposition.

On March 17, 2015, the Magistrate Judge filed a Memorandum and Recommendation in this case containing proposed findings of fact and conclusions of law in support of a recommendation regarding the

Defendants' motion. [Doc. 9]. The parties were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within fourteen (14) days of service. The period within which to file objections has expired, and no written objections to the Memorandum and Recommendation have been filed.

After a careful review of the Magistrate Judge's Recommendation, the Court finds that the proposed findings of fact are correct and that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's recommendation that the motion to dismiss should be granted.

ORDER

IT IS, THEREFORE, ORDERED that the Memorandum and Recommendation [Doc. 9] is **ACCEPTED**; the Defendants' Motion to Dismiss [Doc. 4] is **GRANTED**; and this action is hereby **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.

IT IS SO ORDERED.



Martin Reidinger
United States District Judge

